

PLANNING PERMIT PLN21/0291

Address of the land: 312-316 Springvale Road DONVALE

Lot 1 LP 29300

The permit allows: Removal of Vegetation (Comprising 18 Exotic Trees and 1 Indigenous Tree)

The following conditions apply to this permit:

1. Before the tree removal occurs, amended plans drawn to scale and dimensioned, must be submitted via email and approved by the Responsible Authority. When approved the plans will then form part of the permit. The plans must be generally in accordance with the decision plans (prepared by Arborcraft, dated 8 September 2021), but modified to include a landscape plan. The plan must show:
 - 1.1 A minimum of forty (40) indigenous canopy trees, (i.e. Eucalyptus naturally occurring in the relevant EVC appropriate to replanting site location) planted within the site.
 - 1.2 All proposed canopy trees must be capable of reaching a minimum mature height of 8.0m. The trees must be of advanced stock (minimum 45L/50cm pot size and 1.5m tall at time of planting).
 - 1.3 Replacement canopy trees must not be located below the canopy of an existing tree and should not be within 4m of a boundary or a building unless a particular issue arises where this is needed.
 - 1.4 No one tree species should exceed 35% of the total number of trees to be planted;

The location of replacement planting should give consideration to the authorised development under the live permit applying to the site (PLN18/0452: Retirement village).

Endorsed Plans

2. The vegetation removal as shown on the approved plans must not be altered without the written consent of the Responsible Authority.

Vegetation Removal

3. No vegetation, apart from that shown on the approved plan as vegetation to be removed may be felled, destroyed or lopped without the written consent of the Responsible Authority.

Replacement Planting

4. Planting of approved species in accordance with the approved plan must be carried out within three (3) months of the tree removal, to the satisfaction of the Responsible Authority. Such planting must be maintained to the satisfaction of the Responsible Authority.

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Signature for the
Responsible Authority

Permit Expiry

5. This permit will expire if the vegetation removal is not completed within two (2) years of the date of this permit. The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the *Planning & Environment Act 1987*.

Note: Under Section 69 of the *Planning and Environment Act 1987* the owner or occupier of the land may apply to extend a permit either:

- before it expires; or
- within 6 months of the expiry if the permit has not been acted on; or
- within 12 months of the expiry of the permit if the development was started lawfully before the permit expired.

Replacement Planting

- The species of replacement planting indigenous to Manningham should be selected from Council's Native Splendour publication, available at www.manningham.vic.gov.au/file/3066/download. Before it expires; or
- Within 6 months of the expiry if the permit has not been acted on; or
- Within 12 months of the expiry of the permit if the development was started lawfully before the permit expired.



IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

WHEN DOES A PERMIT BEGIN?

A permit operates:

- From the date specified in the permit; or
 - If no date is specified, from –
 - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - (ii) the date on which it was issued, in any other case
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WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if –
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
 2. A permit for the use of land expires if –
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
 3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
 4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision –
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- the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.
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WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

